

REMARKS

Claims 1, 3, 5-6, 13, 16-20 and 22-24 are pending after entry of the amendments set forth herein. Claims 2, 4, 7-12, 14-15 and 21 are canceled without prejudice. Claims 1, 3, 5, 13 and 16 are amended. Support for these amendments is found , inter alia, in originally filed Claim 2. No new matter is added.

REJECTIONS UNDER §112, ¶2

Claims 12, 15 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Without conceding to the correctness of the rejection, the rejected claims have been canceling, making the rejection moot.

REJECTIONS UNDER §103(A)

Claims 1, 12, 13, 15, 16 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rashtchian et al. (US 2005/0123924 A1, published June 9, 2005, priority August 5, 2002) in view of Lipshutz et al. (US. Patent No. 5,856,174, issued January 5, 1999).

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rashtchian et al. (US 2005/0123924 A1, published June 9, 2005, priority August 5, 2002) in view of Lipshutz et al. (US. Patent No. 5,856,174, issued January 5, 1999) as applied to claims 1, 12, 13, 15, 16 and 18-21 above, and further in view of Wachala et al. (U.S. Patent No. 3,990,905, issued November 9, 1976).

Applicants have amended the three independent claims to specifically recite that the methods and compositions of the invention are directed to the translation of mRNA to produce polypeptides, and note that the Examiner has stated that the prior art does not teach or suggest a method of in vitro translation of polypeptides using a non-detergent anti-foaming agent at a concentration of 0.00007% to 0.007% by weight.

In view of the amendments, Applicants submit that the present claims are not taught or suggested by the cited art. Withdrawal of the rejection is requested.

CONCLUSION

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number STAN-353.

Respectfully submitted,
BOZICEVIC, FIELD &
FRANCIS LLP

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By: 
Pamela J. Sherwood, Ph.D.
Registration No. 36,677

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231